

## **RIVERS MANAGEMENT ADVISORY COMMITTEE**

### **Meeting Minutes**

December 18, 2003

NH Department of Resources and Economic Development  
172 Pembroke Road, Concord, NH  
Conference Room 9:00 am –12:30 pm

Members Present: Ken Kimball, Chair, Recreational Interests  
Michele Tremblay, Vice Chair, Conservation Interests  
Bob Beaurivage, Public Water Suppliers  
Ben Frost, Office of State Energy and Planning  
Ben Haubrich, Dept of Resources and Economic Development  
Deborah Hinman, Conservation Commissions  
James Jones, NH Fish & Game Commission  
Allan Palmer, Business and Industry Association  
Jamie Robertson, Agricultural Interests  
Gail McWilliam, Department of Agriculture  
Ted Sutton, Municipal Government  
Bill Ingham, Fish & Game Department

Members Absent: George Lagassa, Granite State Hydropower  
Wesley Stinson, Historical & Archaeological Interests

Others Present: Mark Wamser, Gomez and Sullivan  
Representative Tim Allen  
Representative Emma Rous  
Carl Paulson, NH Rivers Council  
Rod Zwirner, Contoocook River North Branch LAC  
Kim McCracken, USDA-NRCS

DES Staff Present: Paul Currier, Administrator, Watershed Management Bureau  
Steve Couture, Rivers Coordinator, Watershed Mgmt Bureau  
Rick Chormann, NH Geological Survey  
Dick Flanders, Waste Water Engineering  
Beth Krumrine, Asst. Planner, Watershed Mgmt Bureau  
Marie LosKamp, Executive Secretary, Watershed Mgmt Bureau

- Chair, Ken Kimball, opened the meeting at 9:00 a.m., changed the agenda around just slightly, recognizing that some people have time constraints, but also allowing time for Ted Sutton to arrive at the meeting as there is a lot of flooding in the area he is coming in from. We will do the introductions, do the acceptance of the minutes and jump down to Steve Couture who will do Item VII real quick.

#### **I. Introductions**

Introductions were made.

#### **II. Acceptance of October 2, 2003 Minutes**

Michele Tremblay noted that on page 6, the last paragraph under *IX. Briefing of New Members*, Vice Chairman should be changed to Vice Chair.

***A motion was made by Ms. Tremblay to accept the minutes as corrected. Ms. Hinman seconded the motion and it was unanimously voted.***

**VII. Rivers Coordinator Update – Steve Couture, NHDES**

**a. NHDOT property sale and RMAC CORD comments**

This is property that the RMAC reviewed back in 2001. The RMAC made recommendations that should be included in a MOU. They were just recommendations and DOT incorporated the strategy of the RMAC making the MOU a part of the Best Management Practices. It was not exactly what the RMAC put forth. Steve wants to make sure the RMAC is comfortable with that format because there will be other property transfers within a six month timeframe. Are there any issues with the MOU that was part of your packet? The MOU will be part of any deed and will continue to follow the property.

- ***Ken Kimball stated we do not need a vote on this, but Is the RMAC okay with the MOU? The RMAC acknowledged that it is okay with the MOU.***

**III. Senate Bill 87 Study Commission**

**a. Update on SB#87, Jamie Robertson, RMAC member**

The Study Commission is moving toward a Site Specific format where the setbacks will be the same as they are right now on the non-grandfathered sites with a 250 foot setback. Unless you want to do a site specific evaluation with stream bank protection as part of the format with a buffer and filter strip as part of the Site Specific plan. The RMAC wanted the designated rivers to be treated differently than the other rivers and we wanted an independent agency to set up a site specific format. The study commission will rank all the recommendations that come in. It is important for the RMAC to put in there own recommendation, but I will also have to rank all the other recommendations that come in. January 4<sup>th</sup> is the final date for submitting new proposed recommendations to the study commission and there will be only one recommendation that goes forth to the legislature which will be the recommendation that received the highest ranking by the commission. The ranking will be on a scale of 1 to 9 as to feasibility with 9 being the least feasible.

- ***Ken Kimball suggested that the committee first work on the proposal that we would like Jamie to bring forth from the RMAC; and secondly that we give Jamie some criteria that we would trust his judgment to use as he tries to rank these as a committee member.***
- Deb Hinman wanted to remind members that the EPA has just recently came out on CBS and in writing that they cannot verify the safety of land spreading. All the site specific and existing formulas for land spreading are based on nutrients which is fertilizer and manure, sludge, biosolids, whatever you want to call it, has nutrients but packed around those nutrients are metals, pathogens, antibiotics, you name it. There is no formula that tracks those things. Please keep that in mind as you consider how to move forward as an RMAC

**b. Site Specific Considerations, Kimberly McCracken, NRCS**

Kimberly McCracken presented a Powerpoint presentation and discussion on conservation considerations for land application of biosolids, septage and short paper fibers near designated rivers. There are two main issues to think about. One is we have agricultural lands in New Hampshire. Agricultural lands that are used on a regular basis need a nutrient input. Farmers are faced with what is a cost effective form of nutrients that I can get for my operation, where can I get them, and what is

available. Another question that factors in here is that we have a constant generation of sludge, septage, and short paper fibers and we need to think of something to do with them. These are the two big issues we are discussing today. SB87 is talking about applying these biosolids to feed crops.

- **Kimberly emphasized that NRCS is not the expert on the composition of biosolids or septage or short paper fibers, but these are some of the key things that we would want to look at if we were developing a nutrient management plan for a producer.** Nitrogen, phosphorus, and potassium - some of these materials have a significant amount of nutrients, other materials are very nutrient poor and so it is important to know what you are getting. Organic matter - many of the soils in NE are organic matter poor, and so adding some of these amendments can add some organic matter and have some beneficial impacts on our soil. In addition to these nutrients and organic matter which our producers try to get into their soils in the right amounts, there are heavy metals, pathogens, and other substances both known and unknown in these materials. And these are things that we would discuss with the producer if they were to decide or consider using these materials. Impacts of these materials on the plant and soil system – some may be beneficial. We have a number of soils that are nitrogen poor. We have an issue of having too much phosphorus in our soils and many biosolids have a significant amount of phosphorus. Whether we are talking about manure, fertilizer or biosolids, you need to know what is in it. Testing is essential. Discussed what you would look at in considering spreading biosolids and these are soil properties, landscape conditions and proximity to other features. Time of application is important. You should apply nutrients when they are most likely to be used, just before the growing season or during the growing season. Buffers are used for conservation practices. They are strips of land planted with some type of permanent vegetation which can be and should be maintained. Buffers are one of the key things that can impact water quality via a buffer zone between agriculture, other land uses and water quality. A setback is a distance between a special feature and agriculture, say a designated river, and agriculture. This would be if we are talking about biosolids, you wouldn't spread within that distance. Whereas a buffer has a different definition, the buffer is talking about the specific land use. It is a piece of a whole conservation system. Buffers allow the water to slow down a little bit and move in through the soil. The plant material in the buffer zone needs to be harvested periodically and taken off site to prevent the site from becoming contaminated. If harvested periodically, those plants will not have a quantity of any material so high so that it would be considered contaminated and therefore can be utilized. There are two main types of buffers, filter strips and riparian forest buffers.
- **Kimberly emphasized that what she showed in her presentation on buffers, is what they have in their standards and they are not designed specifically for biosolids, it is designed for nutrient management and so the committee may want to consider the entire situation and not just these standards. These standards are what we use when we are working with producers, commercial fertilizers, and manure and we do not have a specific subset under these standards dealing specifically with biosolids.** The purpose of the buffers is that you want the vegetation to sequester nutrients so that they are not entering the water, therefore, you would not fertilize the buffer zone. Encourage people to maintain buffers by using biological or mechanical controls. Focus on native species in the zone 1 buffer, which is closest to the water. Summary of recommendations and highlights for this proposal are: 1) to continue the 250 feet setback unless a producer opts for a Site Specific Plan which would include some pre and post application environmental monitoring. 2) a Site Specific Plan which would consider site characteristics and management practices in addition to the quality of the materials to

be applied. I am looking for input from Cooperative Extension; it would have been nice if they had been here as well.

- **NRCS stated that it based its presentation on EPA data that is currently under review.**

UNH Cooperative Extension's Tom Buob has conducted studies on biosolids using agriculture land for a number of years and many people consider him to be an expert on the topic. The information that I have read on Tom Buob's research has been focused on nutrients and biosolids. A discussion period and question and answer period ensued.

**c. Draft Proposals, Steve Couture, NHDES**

Steve summarized the differences between the two drafts. In version 1.1 the main differences are at the top of page 2, which requires a vegetated filter strip of 125 feet. That is a requirement. It is supposed to be maintained for the duration of the permit and incorporation is required. In version 2.1 it recognizes the natural classification as those that are outstanding resource waters. It puts them at the highest level when it comes to our State's water quality standards. It bans land application within the corridors of natural classified sections of designated rivers; and it includes a requirement for a functioning forested buffer or vegetated filter strip but it does not set a minimum or maximum as version 1.1 did for a vegetated filter strip. Version 1.1 was based mainly on guidelines that the RMAC discussed at its October meeting. Version 2.1 is based upon a lot of discussions that occurred during the SB87 Study Commission. A lengthy discussion period and question and answer period ensued.

- ***A motion was made by Ted Sutton that the RMAC would trust Jamie Robertson's judgment as a committee member while on the study commission. Michele Tremblay requested that the motion be amended giving Jamie some criteria to follow. An amended motion was put forth by Ted Sutton that the motion as amended by the RMAC giving Jamie Robertson the following guidance and criteria that we would trust his judgment to use as a committee member while on the study commission for SB87. We instruct Jamie to proceed ahead relative to the ranking system for the various proposals that have come forward, using his best judgment based on the discussion that he has had at this meeting, including the following criteria: requirements for the minimum setback 250 feet unless a site specific study is conducted. The guidance for the site specific study and buffer requirements will be determined by a corroboration among DES, UNH Cooperative Extension, and NRCS, and as part of that setback determination there is 125 foot minimum, and that there is an added protection for designated rivers and a third party independent study. Those would be the criteria he would use in trying to assess things.***

- ***All those in favor of the amended motion signify by saying aye. Anybody opposed, yes one opposed, Michele Tremblay.***

- ***The following proposed language and intentions for amending the New Hampshire Rivers Management and Protection Act: Setback Distance for Biosolids, Short Paper Fiber, and Septage from Designated Rivers in New Hampshire was proposed by and voted on by the RMAC to be brought forward by Jamie to the SB87 study commission and also to be submitted to DES.***

***This motion was brought forward by Bob Beaurivage who made a motion that we accept the revised draft proposed language, seconded by Michele Tremblay, all in favor say aye. Anybody opposed, yes one opposed, Deborah Hinman.***

- to ensure an added level of protection for designated rivers and river segments;
- to emphasize the importance of maintaining riparian forested buffers and vegetated filter strips between agricultural sites and designated (and other) rivers and river segments;
- to allow for the variability of sites and conditions in which this requirement will be applied,
- to clarify field storage limitations;
- to clarify the paragraphs' intent with regard to what is included and what is excepted
- to discontinue the grandfathering of application sites.

The pertinent paragraph in the New Hampshire Rivers Management and Protection Act, RSA 483 would be amended as follows. The pertinent paragraph appears at 483:9(VI)(c), 483:9-a(VII)(b), 483:9-aa(VII)(b), and 483:9-b(VII)(b).

**Existing Language:**

**Paragraphs 483:9(VI)(c), 483:9-a(VII)(b), 483:9-aa(VII)(b), and 483:9-b(VII)(b)**

***“Any land application within the river corridor of septage, sludge, or solid waste, as defined in RSA 149-M:4, XXII, shall be set back a minimum of 250 feet from the normal high water mark and shall be immediately incorporated into the soil. The provisions of this subparagraph shall not apply to manure, lime, or wood ash when used for agricultural purposes.”***

**Proposed revised language:**

**Paragraphs 483:9(VI)(c), 483:9-a(VII)(b), 483:9-aa(VII)(b), and 483:9-b(VII)(b)**

***“Any stockpiling within the river corridor of class B biosolids, short paper fiber, or septage shall be set back a minimum of 250-feet from the normal high water mark. Any land application within the river corridor of solid waste, as defined in RSA 149-M:4, XXII, class B biosolids, short paper fiber, or septage, shall be set back a minimum of 250-feet from the normal high water mark or shall be set back in accordance with site specific setback criteria that shall include a functioning riparian forested buffer and vegetated filter strip. The provisions of this subparagraph shall not apply to manure, lime, or wood ash when used for agricultural purposes. For any land application within the river corridor of class B biosolids, short paper fiber, or septage, immediate incorporation into the soil after application is required except when applied as a topdressing to forage crops.***

***This specified, site-specific setback distance shall be a minimum of 125 feet, include a functioning riparian forested buffer and vegetated filter strip, be***

*between the land application area and the normal high water mark and shall be recorded in the site permit required by Env-Ws 800 or Env-Ws 1600. Any vegetated filter strip or riparian forested buffer required in this section shall be established prior to land application and be maintained for the duration of the permit.”*

#### **Definitions and Process**

- A functioning riparian forested buffer definition shall be developed by NHDES in cooperation with NRCS and UNH Cooperative Extension and incorporated into Env-Ws 800 and Env-Ws 1600
- A functioning vegetated filter strip definition shall be developed NHDES in cooperation with NRCS and UNH Cooperative Extension and incorporated into Env-Ws 800 and Env-Ws 1600.
- Site specific setback criteria shall be developed by NHDES in cooperation with NRCS and UNH Cooperative Extension and incorporated into Env-Ws 800 and Env-Ws 1600.
- Site Specific plans approved by NHDES following site-specific set back criteria and including the delineation of the functioning vegetated filter strip and riparian forested buffer shall be submitted to NHDES by an independent, certified soil scientist.
- Grandfathering of existing sites shall be discontinued upon the expiration of the Temporary Use Authorization 56:6 on July 1, 2005.

#### **Summary:**

This proposal allows existing protection standards to be maintained while also providing an option for site specific considerations. The site specific criteria will allow for use of residuals when appropriate vegetated filter strip and forested riparian buffers are in place, creating a balance between the agricultural uses and protecting the riparian resource. Also, incorporation requirements are appropriate for the crops most likely to be the recipient of residual use.

#### **IV. Instream Flow Protection Pilot Program, Souhegan River Pilot Study – Paul Currier, NHDES**

Paul presented a quick summary. The pilot program legislation passed last session. We are underway with the Souhegan River Pilot Program, which has been funded. The Lamprey and Souhegan programs have been approved and funded and we are still looking for funding for the Lamprey. We are moving ahead with the Souhegan and there are two technical advisory committees under this legislation that need to be formed and that are what the RMAC will be dealing with today. The RMAC will be making recommendations to DES for those committees. We expect RMAC action today, we hope to get the nomination package to Governor and Council for the Water Management Planning Area Advisory Committee by the closing date deadline of December 23, 2003 for G&C action on January 7, 2004. We have a request for qualifications on the street right now for consultants to conduct the two studies that would be necessary for this pilot program. The response deadline for consultants is January 15, 2004. If we have G&C action on January 7, 2004, we should be able to convene the committees in early

February in time for the committees to get organized and help us with the evaluation of requested qualifications and short listing consultants for detailed proposals and interviews. This is the process and the time table that we expect from here. Paul passed on the details of the nominees and the request for the RMAC to make recommendations over to Steve Couture.

Steve commented that for the Technical Review Committee (TRC), the RMAC is going to make recommendations to DES who the Commissioner should appoint and for the Water Management Planning Area Advisory Committee (WMPAAC), the RMAC is going to recommend to DES who they should put forth for consideration by Governor and Council to actually appoint for this committee. There are some cases where we have more than the required amount for some of the representative groups.

Ken Kimball made the following clarification on the two committees: The WMPAAC is to deal with political questions whereas the TRC is designed to deal with technical issues. The intent is to have the technical committee work without the political ramifications and we are looking for people with detailed local knowledge and expertise in the instream flow protection. As you are looking at these remember we are using different criteria for the different groups.

**a. Technical Review Committee nominations – Steve Couture**

After discussion and debate, and after considering each individually, the final slate of individuals were recommended and approved by the RMAC. Ken Kimball excused himself from voting on technical representatives of conservation interests as he is a candidate.

- ***Motion made by Michele Tremblay to accept the slate as amended showing what Steve Couture has for changes and additions. Motion Seconded by Ted Sutton, all in favor signify by saying aye, all in favor signify by saying aye, anyone opposed signify by saying nay. Motion passed unanimously.***

***Slate as amended showing changes is on the following pages.***

**b. Water Management Planning Area Advisory Committee nominations – Steve Couture**

After discussion and debate and after considering each individually, the final slate of individuals were recommended and approved by the RMAC.

- ***Motion made by Michele Tremblay to accept the slate as amended showing what Steve Couture has for changes and additions. Motion Seconded by Bob Beaurivage, all in favor signify by saying aye, anyone opposed signify by saying nay. Motion passed unanimously.***

***Slate as amended showing changes is on the following pages.***

### RMAC Nomination Recommendations for the Souhegan River Instream Flow Technical Review Committee

<b>Approve one:</b>	<b>Representative from New Hampshire Fish and Game Department</b>		
<i>Name</i>	<i>Town</i>	<i>Organization/ Title</i>	<i>Nominator / Organization</i>
William Ingham	N/A	NH Fish and Game Dept. / Ecologist	Lee Perry / NH Fish & Game Dept.

<b>Approve one:</b>	<b>Representative of the USEPA</b>		
<i>Name</i>	<i>Town</i>	<i>Organization/ Title</i>	<i>Nominator / Organization</i>
Ralph W. Abele	N/A	US EPA / Manager of New Hampshire State Program Unit	Carl Deloi / US EPA

<b>Approve one:</b>	<b>Representative of the USFWS</b>		
<i>Name</i>	<i>Town</i>	<i>Organization/ Title</i>	<i>Nominator / Organization</i>
Vernon Lang	N/A	U.S. Fish and Wildlife Service / Field Supervisor, New England Field Office	Michael J. Bartlett / U.S. Fish and Wildlife Service – New England Office

<b>Approve one:</b>	<b>Representative of the USGS</b>		
<i>Name</i>	<i>Town</i>	<i>Organization/ Title</i>	<i>Nominator / Organization</i>
Brian R. Mrazik	N/A	U.S. Geological Survey / District Chief, New Hampshire – Vermont District	Self / U.S. Geological Survey

<b>Approve four:</b>	<b>Technical representatives of business interests, one of whom shall be a municipal water supplier.</b>		
<i>Name</i>	<i>Town</i>	<i>Organization/ Title</i>	<i>Nominator / Organization</i>
Alden T. Greenwood	Greenville	Alden Engineering / Dam Owner and Hydro/Electric Producer	Marshall A. Buttrick / Souhegan LAC
Donald L. Ware	Amherst, Bedford, Merrimack, Milford	Pennichuck Water Works / Executive Vice President	Stephen J. Densberger / Pennichuck Water Works
Thomas Roy	Milford/All	Aries Engineering, Inc. / Principal Engineer & Geologist	Michael S. Giaimo / Business and Industry Association
John Nelson	N/A	Geological Society of NH Professional Geologist Section / Member	Timothy Stone / Geological Society of NH Professional Geologist Section

<b>Approve four:</b>	<b>Technical representatives of conservation interests</b>		
<i>Name</i>	<i>Town</i>	<i>Organization/ Title</i>	<i>Nominator Organization</i>
James MacCartney	N/A	Trout Unlimited – National Park Service / River Restoration Specialist	Paul Doscher / Society for the Protection of NH Forests (SPNHF)



Carl Paulsen	N/A	NH Rivers Council / Policy Director /	Chris Wells / SPNHF
Dr. Kenneth D. Kimball	N/A	Appalachian Mountain Club Research Dept. / Director of Research and Cartography Depts.	Carl Paulsen / NH Rivers Council
Douglas Bechtel	N/A	The Nature Conservancy/Director of Conservation Science	Carl Paulsen / NH Rivers Council

<b>Approve two:</b>	<b>ex-officio representatives of the New Hampshire General Court; the chairperson of the senate environment committee, or designee, and the chairperson of the house resources, recreation, and development committee, or designee</b>		
<b><i>Name</i></b>	<b><i>Town</i></b>	<b><i>Organization/ Title</i></b>	<b><i>Nominator / Organization</i></b>
Richard Cooney	N/A	NH House of Representatives / Resources, Recreation and Development Committee	Gene G. Chandler / NH House of Representatives
Russell E. Prescott	N/A	NH Senate / Senate Environment Committee	Thomas R. Eaton / NH Senate

**RMAC Nomination Recommendations for the Souhegan River Instream Flow Water Management Planning Area Advisory Committee (WMPAAC)**

<b>Pick two:</b>	<b>Local river management advisory committee representatives</b>		
<b><i>Name</i></b>	<b><i>Town</i></b>	<b><i>Organization / Title</i></b>	<b><i>Nominator / Organization</i></b>
Spencer C. Brookes II	Wilton	Souhegan LAC / Member	Andrew Singelakis / NRPC
Diane Fitzpatrick	Milford	Souhegan LAC / Member	George May / Souhegan LAC

<b>Pick four:</b>	<b>Affected business water users in the WMPA</b>		
<b><i>Name</i></b>	<b><i>Town</i></b>	<b><i>Organization/ Title</i></b>	<b><i>Nominator / Organization</i></b>
F. Vincent Gerbino	Wilton	Monadnock Mountain Spring Water / Quality Control Manager	Michael Giaimo / Business & Industry Association of NH
Wallace Warren	Amherst	Amherst Country Club	George May / Souhegan Watershed Association
Steven J. Densberger	Amherst, Bedford, Merrimack, Milford	Pennichuck Water Works	Donald L. Ware / Pennichuck Water Works
Larry Major	Wilton	Pike Industries, Inc.	Larry Major / Pike Industries Inc.

<b>Pick one:</b>	<b>Conservation commission member from a town or city in the WMPA</b>		
<b><i>Name</i></b>	<b><i>Town</i></b>	<b><i>Organization / Title</i></b>	<b><i>Nominator / Organization</i></b>
Pierce Rigrod	Milford	Milford Conservation Commission / Member	Diane Fitzpatrick / Milford Conservation Commission

<b>Pick three:</b>	<b>Government official representatives from a towns or cities in the WMPA</b>		
<i>Name</i>	<i>Town</i>	<i>Organization / Title</i>	<i>Nominator / Organization</i>
Gordon Leedy	Amherst	Town of Amherst	Andrew Singelakis / Nashua Regional Planning Commission
Nelson R. Disco	Merrimack	Town of Merrimack	Andrew Singelakis / Nashua Regional Planning Commission
William F. Ruoff	Milford	Town of Milford/ Director, Milford Public Works	Katherine E.L. Chambers / Milford Town Administrator /

<b>Pick one:</b>	<b>Recreational use representative from the WMPA</b>		
<i>Name</i>	<i>Town</i>	<i>Organization / Title</i>	<i>Nominator / Organization</i>
George May	All	Self / Chairman	George May / Souhegan LAC

<b>Pick one:</b>	<b>Community citizen representative from a town or city in the WMPA</b>		
<i>Name</i>	<i>Town</i>	<i>Organization / Title</i>	<i>Nominator / Organization</i>
Timothy D. O'Connell	Milford	Former NH House Agriculture and Environment Committee / State Representative	Self / Community of Milford

<b>Pick one:</b>	<b>Representative of conservation interests in the WMPA</b>		
<i>Name</i>	<i>Town</i>	<i>Organization / Title</i>	<i>Nominator / Organization</i>
Angela Rapp	Amherst, Brookline, Lyndeborough, Merrimack, Milford, Mont Vernon, Wilton	Nashua Regional Planning Commission / Interim Land Use Program Coordinator	Andrew Singelakis / Nashua Regional Planning Commission & George May / SWA

<b>Pick one:</b>	<b>State senator in a town or city in the WMPA</b>		
<i>Name</i>	<i>Town</i>	<i>Organization / Title</i>	<i>Nominator Organization</i>
Andrew R. Peterson	Amherst, Greenfield, Milford, Mont Vernon, Peterborough, Temple, Wilton	NH State Senate	Senator Thomas R. Eaton / NH Senate

<b>Pick one:</b>	<b>State representative in a town or city in the WMPA</b>		
<i>Name</i>	<i>Town</i>	<i>Organization / Title</i>	<i>Nominator / Organization</i>
Representative Pierre W. Bruno	New Boston, Mount Vernon, Lyndeborough, Wilton, Temple	NH House of Representatives	Speaker Gene Chandler / NH House of Representatives

<b>Pick one:</b>	<b>Representative of a lake association in the WMPA (if applicable)</b>		
<i>Name</i>	<i>Town</i>	<i>Organization / Title</i>	<i>Nominator / Organization</i>
Nancy Rose Redling	New Ipswich	Pratt Pond Association / President	Nancy Rose Redling / Pratt Pond Association

<b>Pick one:</b>	<b>Public water supplier in the WMPA (if applicable)</b>		
<i>Name</i>	<i>Town</i>	<i>Organization / Title</i>	<i>Nominator / Organization</i>
Thomas Neforas	Milford	Town of Milford Department of Public Works	Katherine E.L. Chambers / Milford Town Administrator

<b>Pick one:</b>	<b>Affected dam owner in the WMPA (if applicable)</b>		
<i>Name</i>	<i>Town</i>	<i>Organization / Title</i>	<i>Nominator / Organization</i>
Alden T. Greenwood	Greenville, New Ipswich	Self / Alden Engineering	Marshall A. Buttrick / Souhegan River LAC

<b>Pick one:</b>	<b>Affected agricultural water user in the WMPA (if applicable)</b>		
<i>Name</i>	<i>Town</i>	<i>Organization/ Title</i>	<i>Nominator / Organization</i>
Peter de Bruyn Kops	Amherst	Self	Peter de Bruyn Kops

## **V. Wetlands Mitigation Rules – Kenneth Kimball, RMAC**

Kenneth Kimball received a call from Harry Stewart who basically said that they had taken our input on the Wetlands Mitigation Rules but they had decided that they could not incorporate it at this time because of the delicate negotiations. Ken did not have an opportunity to call him back yesterday. Essentially, what we have been told is even though we filed timely comments and I know I worked with Steve and Michele did, we had asked DES to go back and do the calculations as to how many acres were actually involved and we asked them to determine how many of them were actually in the 100 year flood plan, how many in current conservation plans, and so on and so forth because we were trying to get more factual information. The upshot of that is they didn't feel that they could incorporate our suggestions at this time. They have apologized for not engaging us earlier in the process.

Paul Currier commented that DES recognizes as a result of this process that there was a defect in the process. The RMAC was not engaged early on and we have had discussions about how to fix that. What we would propose is that the River Coordinator basically be assigned to bring to the RMAC any rules under development, RMAC becomes aware of those at an early stage and has the opportunity to advise as an inside group, which you are. One of the values of RMAC you are at statute, you are here to advise the agency and certainly should have that opportunity early on in any process. We propose to have that become part of a routine agenda item and that it's Steve Couture's responsibility as Rivers Coordinator to develop that process and to come back and tell you what it is going to be. Also, Steve commented that Wetlands will be going to stage 2 of the mitigation rules. They will be looking at some of the issues that they didn't incorporate. The RMAC will be asked to have someone serve on that committee and the concepts that were developed and put forth by the RMAC can be revisited for the next round. At the next RMAC meeting Steve will be requesting someone from the RMAC to serve on that Wetland Rules Committee.

## **VI. New RMAC Member Packet – Michele Tremblay, RMAC**

A draft packet was distributed which is the result of the questions that have come up and remembering what it was like to be new on the committee. It has a list of resources that Michele assumes will be part of the packet that new members are sent. Michele would ask for the newer members as well as those who have been around for awhile who might not be aware of some of these things to get back to us as quickly as possible. The deadline for your response on this is January 1<sup>st</sup>. Let us know as a new member or an existing member if this makes you feel that you can come to meetings, converse, be productive, answers your questions, and if not submit your comments so that we can do the final revision. Steve will then get this packet out to future new members and existing members by request. Michele suggested that Steve put this out on the RMAC web site and have your list of resources hyperlinked within that, so that it is a living fact sheet, and whenever something new comes up anybody can go to the web site and get questions answered.

## **VII. Rivers Coordinator Update – Steve Couture, NHDES**

### **a. Env-C 700 Nomination Rules**

- **Ken Kimball requested that this item be held over until the next RMAC Meeting**

**b. Protected River Signs**

This is what we are considering, DOT has approved this. We have asked the LAC for comment trying. We are trying to finalize an agreement with DOT that they will install these signs at state bridge crossings.

Michele commented that it is hard to read the Times New Roman text, particularly the way it is laid out on this sign. Michele suggested following DOT's lead and using a Sans Serif font.

**c. Joint LMAC RMAC meeting**

The issue has come up regarding the LMAC and the RMAC potentially having a joint meeting.

- ***Ken Kimball stated that we need to sit down and ask ourselves how we can do this in a quality way. Ken asked that we defer this to the next RMAC meeting.***

**d. River and Watershed Conference**

We had a conference and there were 140 people in attendance from various interest groups and that the conference went well.

**VIII Meeting Schedule**

The next meeting is scheduled for Wednesday, February 11, 2004 at 9:30 AM.

**VIII. Other Business**

**Dam Rules Committee Meeting tomorrow at the Dept. of Education on Pleasant Street. – Michele Tremblay**

They have given Michele Tremblay a draft of the rules with strikeouts and additions, and also a page that includes substantive changes as a summary by section. If you are interested in receiving this, they should contact Jim Gallagher or Bethann McCarthy.

***A motion was made by Ms. Tremblay, seconded by Bob Beaurivage and unanimously voted to adjourn at approximately 1:45 p.m.***